

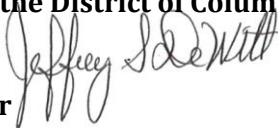
Government of the District of Columbia  
Office of the Chief Financial Officer



Jeffrey S. DeWitt  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Phil Mendelson  
Chairman, Council of the District of Columbia

**FROM:** Jeffrey S. DeWitt  
Chief Financial Officer 

**DATE:** February 24, 2016

**SUBJECT:** Fiscal Impact Statement – Transportation Reorganization Amendment Act of 2016

**REFERENCE:** Bill 21-313, Draft Committee Print as shared with the Office of Revenue Analysis on February 23, 2016

---

**Conclusion**

Funds are not sufficient in the fiscal year 2016 through fiscal year 2019 budget and financial plan to implement the legislation. The bill's implementation will cost at least \$30,000 in fiscal year 2017 and \$90,000 over the four year financial plan period.

One requirement of the bill cannot be estimated with reliability. At present the District's Department of Transportation (DDOT) has control over various federal reservations. These are generally small plots of land along public space, including roads and sidewalks. The District has a list of these reservations, but does not have a comprehensive understanding of the types of control we could exercise over these plots since all transfers are not governed by the same terms. Under the bill, the DDOT would be required to include these reservations in its comprehensive maintenance plans. Without a comprehensive understanding of what kind of management rights the District has over these reservations, DDOT cannot meet this obligation. The bill makes implementation of this provision subject to its inclusion in an approved budget and financial plan.

**Background**

The bill changes the structure of DDOT and the Taxicab Commission (now called the Department of For-Hire Vehicles), enhances reporting requirements at the Department of Motor Vehicles (DMV), and creates three new advisory councils.

The bill organizes DDOT into the following five administrations: the Office of the Director, Project Delivery Administration, Operations Administration, Administrative Services Administration, and Performance Administration. The responsibilities and duties assigned to each of the

administrations are consistent with those currently assigned to DDOT's six administrations. The bill also codifies the fare, schedule, and route adjustment public participation guidelines applicable to the DC Circulator<sup>1</sup> and applies those same guidelines to the DC Streetcar. The Project Delivery Administration is responsible for the DC Circulator and DC Streetcar systems.

The bill terminates the Taxicab Commission and Office of Taxicabs and replaces them with a new Department of For-Hire Vehicles (DFHV). The Commission and Office's existing responsibilities and duties are reassigned to five offices within DFHV. Those are the Offices of the Director, Regulatory Policy and Planning, Client Services, Compliance and Enforcement, and Hearings and Conflict Resolution. The bill also extends the amount of time the public can comment on rate changes to forty-five days from the current thirty days.

The bill also requires DMV to report each month statistics on parking infraction to DDOT and the Department of Public Works (DPW). These reports should include the number of admit, admit with explanation, and deny answers; the most common reasons for ticket dismissals; and the badge numbers of the officers whose tickets are dismissed most often. Each quarter, DMV must include in these reports trends on parking ticket adjudication and on dismissals of respondents who deny committing an infraction in the report. In addition to the monthly and quarterly reporting requirements, DMV must report to Council by January 2, 2017, on whether or not the responsibility for adjudicating parking infractions should be transferred from DMV to another District entity.

The bill establishes the Transit Rider Advisory Council (TRAC), Multimodal Advisor Council (MAAC), and the For-Hire Vehicle Advisory Council (FHVAC). TRAC will be composed of eleven members<sup>2</sup> and will respond to any DDOT proposals to adjust fares, routes, or schedules for DC Circulator or DC Streetcar. This can be done through public meetings and the submission of comments on proposed rules. DDOT must provide TRAC with a rationale if the council's comments and suggestions are not incorporated into any final rulemakings. MAAC will be composed of nine members<sup>3</sup> and will advise the government on making local transit and public space more accessible to persons with disabilities. DDOT will provide both TRAC and MAAC with an operating budget and other administrative accommodations. These two advisory councils, plus two existing councils,<sup>4</sup> will meet semiannually with the Director of DDOT to discuss the recommendations they have provided. FHVAC will be composed of eleven members<sup>5</sup> and will advise DFHV on matters related to the regulation of the for-hire vehicle industry. DFHV will provide FHVAC with an operating budget and the Director will meet quarterly with DFHV to discuss its recommendations to the agency.

Lastly, the bill includes a number of conforming amendments to effectuate all of the proposed changes.

---

<sup>1</sup> Fare Adjustments, Service Adjustments, and Public Participation (18 DCMR § 1503).

<sup>2</sup> Members include the Director of DDOT, Director of the Office of Planning, and nine community representatives appointed by the Ward Councilmembers.

<sup>3</sup> Members include the Director of DDOT, Director of the Office of Disability Rights, Director of the Office of Human Rights, and six community members appointed by the Mayor.

<sup>4</sup> These are the Bicycle Advisory Council (D.C. Official Code § 50-1604) and the Pedestrian Advisory Council (D.C. Official Code § 50-1931).

<sup>5</sup> Members include the Director of DFHV, Director of DDOT, and nine community representatives appointed by the Mayor.

## **Financial Plan Impact**

Funds are not sufficient in the fiscal year 2016 through fiscal year 2019 budget and financial plan to implement the bill. The bill's implementation will cost at least \$30,000 annually beginning fiscal year 2017.

DDOT and DFHV can generally absorb any costs associated with their reorganizations within existing resources as the responsibilities and duties assigned in the bill are largely consistent with their current the responsibilities and duties. There is, however, one exception. These agencies will provide each of the three new advisory councils \$10,000 per year in operating resources for a total of \$30,000 per year. This amount is not currently in the District's budget and financial plan.<sup>6</sup> The provision of any administrative support, such as meeting space, can be absorbed within existing resources.

One provision of the bill cannot be estimated with reliability. The bill requires DDOT's newly established Operations Administration to develop, implement, and enforce of a comprehensive plan to maintain public space and federal reservations under the control of DDOT. DDOT can do this for public space, but not for federal reservations. DDOT has a general understanding of the number of federal reservations it has control over, but not how these land are used and what costs of maintaining them might be. The bill makes implementation of this provision subject to its inclusion in an approved budget and financial plan.<sup>7</sup>

DMV already provides monthly reports to DDOT and DPW, so the expansion of the required information in the reporting can be absorbed within existing resources. Providing a recommendation on the optimal agency location for parking infraction adjudication processes by January 2, 2017 can also be absorbed within existing resources.

---

<sup>6</sup> This funding level is consistent with what is provided to the existing Bicycle and Pedestrian Advisory Councils.

<sup>7</sup> This is not the first time DDOT has been assigned the job of maintaining federal reservations. The Public Space Enforcement Amendment Act of 2014, effective March 11, 2015 (D.C. Law 20-207; D.C. Official Code § 50-921.04(a)(4)(H)) has a similar provision, which remains subject to appropriations.